



Cover Memorandum/Staff Report

File #: 26-0763

Agenda Date: 7/21/2026

Item #: 9.A.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: July 21, 2026

ORDINANCE NO. 33-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES CHAPTER 2, "ADMINISTRATIVE PROVISIONS," AMENDING ARTICLE 2.2, "GENERAL PROCEDURES," SECTION 2.2.4, "CERTIFICATION OF ACTIONS TAKEN," TO ALLOW SITE PLANS FOR TOWNHOUSE DEVELOPMENTS WITH AN APPROVED PLAT TO BE VALID FOR 24 MONTHS AFTER PLAT RECORDATION AND PROVIDING FOR A 24 MONTH TIME EXTENSION, AND TO ALLOW APPROVALS INITIATED BY THE CITY AND THE COMMUNITY REDEVELOPMENT AGENCY TO BE VALID FOR 5 YEARS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommended Action:

Consider Ordinance No. 33-26, a City-initiated amendment to Section 2.2.4, "Certification of Action Taken" of the Land Development Regulations to establish expiration dates for public projects and townhouse site plans with an approved plat.

Background:

The request is related to expirations for Site Plans, Conditional Uses, Conditional Use modifications, and Subdivision Plans. These application types expire 24 months after approval. Approvals are considered established (commenced) when improvements representing 25 percent of the total cost (excluding demolition) have been completed, or when a certificate of occupancy has been issued. Projects that have approved plats are still tied to the expiration date of the site plan, so it is possible to have an expired site plan, but a plat that can only be developed consistent with a (now expired) site plan - even though the recordation of the plat represents a commitment to proceed. The proposed amendment extends the expiration to a period of 24 months from the date of plat recordation.

The proposed amendment also addresses site plan expirations for City or Community Redevelopment Agency applications. Commencing construction on a municipal project is often more time consuming, due to separate bid requirements for different components of a project. This can cause a delay in reaching the 25 percent threshold. The proposed amendment extends expirations for City and CRA projects for a period of five years.

LDR Section 2.4.7(A)(5), Findings

For any approval, the City Commission must make a finding that the text amendment is consistent with the Comprehensive Plan, and that the amendment furthers the implementation of an adopted

neighborhood plan, if applicable.

A detailed review of all required findings and relevant information for review is provided in the attached Planning and Zoning Board staff report.

Planning and Zoning Board heard the item at its June 15, 2026 meeting and voted 6 to 0 to recommend approval of Ordinance No. 33-26.

City Attorney Review:

Ordinance No. 33-26 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Ordinance No. 33-26 will be effective immediately if approved at second reading, anticipated for August 11, 2026, **with a retroactive effective date of October 1, 2022.**